

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



EARLBON HUNTER

v.

CIVIL ACTION NO.

3:12cv 315 WHB-LRA

INTOWN LESSEE SERVICES, LLS;
CHARLES CAMPBELL, individually;
BRANDON WALKER, individually; and
JOHN DOES 1-3

DEFENDANTS

JOINT NOTICE OF REMOVAL

Defendants Intown Lessee Services, LLC, improperly named in the Complaint as Intown Lessee Services, LLS, Charles Campbell, and Brandon Walker (collectively, the "Removing Defendants") jointly hereby give notice of removal of this action from the Circuit Court for the First Judicial District of Hinds County, Mississippi, to the United States District Court for the Southern District of Mississippi, Jackson Division. In support of this Notice of Removal, the Removing Defendants state the following:

1. The Circuit Court for the First Judicial District of Hinds County, Mississippi is located within the Southern District of Mississippi, Jackson Division.
2. A copy of the entire state court record is attached to this Notice of Removal as **Exhibit A**.
3. In accordance with 28 U.S.C. §1446(d), Plaintiff Earlbbon Hunter ("Plaintiff") is being served with a copy of this Notice of Removal. Additionally, a copy of this Notice of Removal is being filed with the Circuit Court for the First Judicial District of Hinds County, Mississippi.

4. By filing this Notice of Removal, the Removing Defendants do not waive any defenses. The Removing Defendants expressly reserve all available defenses, including but not limited to those defenses enumerated in Federal Rule of Civil Procedure 12(b).

5. This action was originally commenced by Plaintiff on August 26, 2011, through the filing of a Complaint in the Circuit Court for the First Judicial District of Hinds County, Mississippi, styled *Earlbon Hunter v. Intown Lessee Associates, LLS; Intown Lessee Services, LLS; IT Tenant RBS, LLC; Charles Campbell, individually; Brandon Walker, individually; and John Does 1-3*, Civil Action No. 251-11-767CIV.

6. This Court has jurisdiction over this matter and it is properly removed to this Court pursuant to 28 U.S.C. §§1331, 1367, 1441 and 1446.

7. In accordance with 28 U.S.C. §1331, the Court has federal question jurisdiction over the plaintiff's claims. Plaintiff's claims arise under federal law, implicate substantial federal issues and require the interpretation of substantial federal law, namely the Americans with Disabilities Act, 42 U.S.C. §§ 12181 *et seq.* and its regulations. This Court has jurisdiction over any other claims asserted by plaintiffs which do not arise under federal law pursuant to 28 U.S.C. § 1367 and/or § 1441(c).

8. This Court also has jurisdiction over the matters in this case pursuant to 28 U.S.C. §1441(a), which provides in part that, "any action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or defendants to the district and division embracing the place where such action is pending."

9. Pursuant to 28 U.S.C. §1446(b), this notice of removal is being filed within thirty days after receipt by the Defendants through service of a copy of a paper from which it could first be ascertained that the case is one which is or has become removable.

WHEREFORE, the Removing Defendants jointly file this Notice of Removal and remove this action to the United States District Court for the Southern District of Mississippi, Jackson Division.

YOU ARE HEREBY NOTIFIED to proceed no further in state court proceedings previously pending in the Circuit Court for the First Judicial District of Hinds County, Mississippi.

RESPECTFULLY SUBMITTED, this the 4th day of May, 2012.

**INTOWN LESSEE SERVICES, LLC;
CHARLES CAMPBELL;
BRANDON WALKER**



One of Their Attorneys

OF COUNSEL:

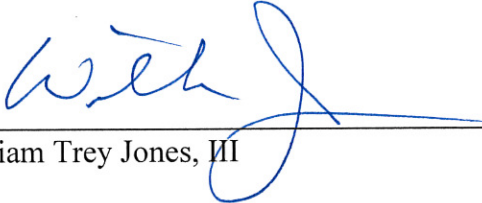
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CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be mailed by United States mail, postage prepaid, a true and correct copy of the above and foregoing Joint Notice of Removal to:

J. Ashley Ogden, Esq.
500 East Capitol Street, Suite 3
Jackson, MS 39201

This the 4th day of May, 2012.



William Trey Jones, III